

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
Tribal Court Room  
7500 Odawa Circle Harbor Springs, MI 49740  
January 24, 2010

Closed Session: yes

Call to Order: Meeting was called to order at: 9:11 a.m.

Opening Ceremony: Julie Shananaquet

Council Present: Legislative Leader Julie Shananaquet, Secretary Regina Gasco Bentley, Treasurer John Bott, Councilor Belinda Bardwell, Councilor Melvin L. Kiogima, Councilor Aaron Otto, Councilor Marvin Mulholland  
Absent: Councilor Rita Shananaquet, Councilor Gerald Chingwa

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Office Manager Michele LaCount

Executive Officials and Staff Present: Tribal Chairman Ken Harrington, Vice-Chairman Dexter McNamara

Guests: Sarah VanDeCar, Rose Smalley, Bea Law, Carol McFall, Alice Yellowbank, Diane Naganashe, Tom Naganashe, Bill Denemy, Sheran Patton, Fred Kiogima, Judy Pierzynowski, Denise Petoskey, Paul Eames, Marcia Sutton

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Motion made by Councilor Otto and supported by Treasurer Bott to adopt the agenda for January 24, 2010 with additions.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor R. Shananaquet, Councilor Chingwa)

Motion carried.

Motion made by Councilor Bardwell and supported by Treasurer Bott to approve the minutes of January 10, 2010 with corrections.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor R. Shananaquet, Councilor Chingwa)

Motion carried.

9:35 a.m. Councilor R. Shananaquet arrived

9:36 a.m. Councilor Chingwa arrived.

Motion made by Councilor Otto and supported by Councilor Bardwell to approve the minutes of January 23, 2010 with corrections.

Vote: 8 - Yes, - No, 1 - Abstained (Councilor R. Shananaquet), 0 - Absent

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Councilor Chingwa to ratify into the record the Phone Poll dated for January 18, 2010 To approve the "Action" contained with the Confidential Memo 011510-01 presented to Tribal Council from Donna L. Budnick, Legislative Services Attorney dated January 15, 2010 to meet an immediate deadline. Passes 8 – Yes, 0 – No, 0 – Abstained, 1 – Absent (Treasurer Bott).

Vote: 8 - Yes, 0 - No, 1 – Abstained (Treasurer Bott), 0 - Absent

Motion carried.

Motion made by Councilor Otto and supported by Councilor Bardwell to approve the Emergency Minutes of January 14, 2010 for confidential business matters-Casino with corrections.

Vote: 8 - Yes, 0 - No, 1 – Abstained (Treasurer Bott), 0 - Absent

Motion carried.

9:45 a.m. Tribal Elder Comments: Rose Smalley spoke in support of the Gaming Board of Directors. Sarah VanDeCar spoke regarding the Tribal Chairman oversight of the Gaming Board of Directors. Bea Law asked for Phone Poll motions to be better detailed.

Motion made by Councilor Kiogima and supported by Councilor Otto to table the Closed Session until 1:30 p.m.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to accept Legislative Leader Shananaquet's verbal and written report for January 24, 2010 with confidential information contained therein.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Discussion: regarding Tribal Citizen Matt Davis written presentation to Tribal Council.

Discussion: regarding Bay Mills Community Board of Regents.

10:29 a.m. Recess called.

10:41 a.m. Meeting reconvened.

Motion made by Legislative Leader Shananaquet and supported by Councilor R. Shananaquet to acknowledge receipt of vetoed Tribal Resolution #122009-03 Designation of Contact for Bond Negotiations and Vetoed Tribal Resolution #122009-04 Repeals Tribal Resolution #092709-04 Establishment and Authority of the Legislative/Executive Team along with the Executive reasons for the vetoes. No action taken.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Legislative Leader Shananaquet and supported by Councilor R. Shananaquet to table the National City loan until after lunch.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell to accept Tribal Treasurer Bott's verbal report for January 24, 2010.

Motion and support withdrawn

Motion made by Councilor Bardwell and supported by Treasurer Bott to accept Land and Reservation Committee Chairperson Kiogima's verbal report for January 24, 2010.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor R. Shananaquet)

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Mulholland to accept the Ethics Committee verbal update report for January 24, 2010.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor R. Shananaquet to accept Tribal Council member Kiogima's verbal report regarding the Asian Carp.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

11:45 p.m. Public Comment opened: Denise Petoskey spoke in opposition of pending legislation for establishing government offices and the function of the Casino ABELi program. Bea Law spoke in opposition regarding pending legislation for establishing government offices. Paul Eames spoke in opposition regarding the Casino Human Resource Director involvement in the hiring of the Casino General Manager. Rose Smalley spoke in support the Gaming Board of Directors ability. Bea Law spoke regarding her previous Tribal Council Legislative Leader position that provided advice to the Gaming Board of Directors. Denise Petoskey spoke regarding the affiliation between the Gaming Board of Directors, the Tribal Council and the Executive. Allie Maldonado spoke regarding Tribal Council not having enough time to address draft legislative agenda items. Frank Ettawageshik requested Tribal Endorsement for Debra Harry's nomination as North American Regional Representative to the United Nations. Fred Kiogima spoke regarding the Gaming Board of Directors function.

12:04 p.m. Public Comment closed.

Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to accept Tribal Council member Otto's verbal report regarding the Little Traverse Bay Bands of Odawa Indians and Face Book.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

12:10 p.m. Lunch recess called.

1:45 p.m. Meeting reconvened.

Motion made by Treasurer Bott and supported by Councilor Kiogima to adopt Tribal Resolution: Authorization for Execution of PNC Bank Loan Documents.  
Roll call vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-yes, Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-yes  
Motion carried.

Motion made by Councilor Otto and supported by Councilor Bardwell to accept Treasurer Bott's verbal report for January 24, 2010.  
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent  
Motion carried.

Motion made by Councilor Kiogima and supported by Councilor Chingwa to accept Legislative Services Attorney Budnick's verbal and written report for January 24, 2010.  
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent  
Motion carried.

2:53 p.m. Recess called.

3:02 p.m. Meeting reconvened.

3:02 p.m. Public Comment opened: Paul Eames spoke with regard to his positive experience utilizing the Tribal Health Clinic and Indian Health Service.

Motion made by Councilor R. Shananaquet and supported by Councilor Otto to remove Fred Kiogima and Dollie Keway from the Gaming Board of Directors.  
Vote: 4 - Yes, 3 - No (Councilor Mulholland, Councilor Chingwa, Secretary Gasco Bentley), 2 - Abstained (Treasurer Bott, Councilor Kiogima), 0 - Absent  
Motion carried.

Motion made by Councilor Bardwell and supported by Treasurer Bott to adopt Tribal Resolution: Request for Funding from the U.S. Department of Justice, Office on Violence Against Women FY 2010 Rural Sexual Assault, Domestic Violence, Dating Violence and Stalking Assistance Program Little Traverse Bay Bands of Odawa Indians FY 10 OVW Rural Assistance Program.  
Roll call vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-yes, Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-yes  
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Councilor Otto to adopt Tribal Resolution: Request for Funding from Prevention Network Little Traverse Bay Bands of Odawa Indians Youth Leadership Project.

Roll call vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-yes, Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-yes  
Motion carried.

Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to adopt Tribal Resolution: Request for Funding from the United States Department of the Interior, Bureau of Indian Affairs, Little Traverse Bay Bands of Odawa Indians, FY2010 Circle of Flight Project.

Roll call vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-yes, Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-yes  
Motion carried.

Motion made by Treasurer Bott and supported by Councilor Otto to adopt Tribal Resolution: Request for Funding from the United States Department of the Interior, Bureau of Indian Affairs, Great Lakes Restoration Initiative (GLRI) Little Traverse Bay Bands of Odawa Indians, FY2010 BIA GLRI Project.

Roll call vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-absent, Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-yes  
Motion carried.

Motion made by Councilor Bardwell and supported by Treasurer Bott to adopt Tribal Resolution: Request for Funding through the U.S. Environmental Protection Agency (EPA) Great Lakes Restoration Initiative Projects (GLRI) Little Traverse Bay Bands of Odawa Indians LTBB GLRI Beaver Island Archipelago Wetlands Project.

Roll call vote: Councilor Bardwell-absent, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-yes, Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-yes  
Motion carried.

Motion made by Treasurer Bott and supported by Councilor R. Shananaquet to adopt Tribal Resolution: Request for Funding from the U.S. Environmental Protection Agency, GLNPO Lakewide Management Plan (LaMP) Program Capacity Funding Little Traverse Bay Bands of Odawa Indians LaMP Capacity Grant.

Roll call vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-yes, Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-yes  
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Treasurer Bott to approve Enrollment List A - Eligible for Citizenship dated January 6, 2010 for a total of 4.

Vote: 8 - Yes, 1 – No (Councilor Chingwa), 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor R. Shananaquet to approve Enrollment List B- Declination (Ineligible) dated January 6, 2010 for a total of 1.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Treasurer Bott and supported by Councilor R. Shananaquet to adopt Tribal Resolution: Request for Tribal Name Proclamation on the 2010 Census Little Traverse Bay Bands of Odawa Indians Proclamation that the Little Traverse Bay Bands of Odawa Indians Be denoted as “LTBB” on the 2010 Census.

Roll call vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-yes, Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-yes

Motion carried.

4:22 p.m. Recess called.

4:32 p.m. Meeting reconvened.

Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell to accept Tribal Chairman Harrington’s verbal and written report for January 24, 2010.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

4:47 p.m. Motion made by Councilor R. Shananaquet and supported by Councilor Otto to go into closed session for confidential business matters-casino.

Vote: 8 - Yes, 0 - No, 1 – Abstained (Treasurer Bott), 0 – Absent

Motion carried.

5:33 p.m. Motion made by Treasurer Bott and supported by Councilor R. Shananaquet to return to open session.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell to approve the “Action” contained in the confidential memo 012410-01 as submitted by Legislative Services Attorney Budnick regarding confidential business matter/casino.

Vote: 8 - Yes, 0 - No, 1 – Abstained (Treasurer Bott), 0 – Absent

Motion carried.

5:38 p.m. Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to adjourn.

Vote: 8 - Yes, 1 – No (Councilor Otto), 0 - Abstained, 0 – Absent

Motion carried.

These Minutes have been read and approved as written:

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Regina Gasco Bentley, Tribal Council Secretary

Date